

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA,

-v-

CRISTIAN MARINO-CASTRO,

Defendant.

20-cr-157-4 (LJL)

ORDER

LEWIS J. LIMAN, District Judge:

On June 7, 2023, the Defendant was sentenced principally to a term of imprisonment of 252 months. On October 17, 2023, and November 16, 2023, the Defendant filed motions requesting that this Court consider a sentence reduction pursuant to Part B of Amendment 821 to the Sentencing Guidelines, which went into effect on November 1, 2023 and applies retroactively. Dkt. Nos. 107–108. The United States Probation Department has issued a report indicating that the Defendant is not eligible for a sentence reduction.

Defendant is ineligible for a reduction because he “use[d] violence or credible threats of violence in connection with the offense,” the offense “result[ed] in death or serious bodily injury,” and the Defendant “possess[ed] . . . a firearm . . . in connection with the offense.” U.S.S.G. 4C1.1(a)(3), (4), (7); *accord* U.S.S.G. 5C1.2(a)(2), (3). Accordingly, the motions at Dkt. Nos. 107–108 are DENIED.

SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Dated: January 22, 2024
New York, New York